

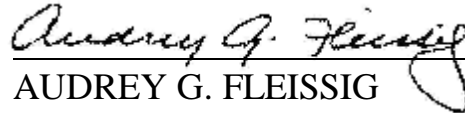
STEVEN M. TRUST, )  
)  
Plaintiff, )  
)  
v. ) No. 4:09CV01208 AGF  
)  
UNKNOWN HIGGINBOTHAM, et al., )  
)  
Defendants. )

This matter is before the Court on plaintiff's motion to compel discovery and on his request for a subpoena duces tecum. Because plaintiff is a prisoner, this case is assigned to Track 5 of the Differentiated Case Management Program of the United States District Court of the Eastern District of Missouri. See E.D. Mo. L.R. 16 - 5.01, 16 - 5.04. In Track 5 cases, discovery may not take place until authorized by the Court and a schedule is set forth in a Track 5 Case Management Order. The Court has not yet authorized discovery in this action because of defendants' pending motion to dismiss and plaintiff's failure to provide the Court with an address for defendant Wiese. As a result, the motion and the request will be denied.

**IT IS HEREBY ORDERED** that plaintiff's motion to compel [#36] is **DENIED.**

**IT IS FURTHER ORDERED** that plaintiff's request for a subpoena duces tecum [#37] is **DENIED**.

Dated this 26th day of April, 2010.

A handwritten signature in cursive script, reading "Audrey G. Fleissig", is written over a horizontal line.

AUDREY G. FLEISSIG  
UNITED STATES MAGISTRATE JUDGE